

JONES

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ENTERPRISE, INC.

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Federal Communications Commission
Office of the Secretary

January 20, 2004

Federal Communications Commission
Mr. Rodney McDonald
445 12th Street, SW
Washington, DC 20554

Delivered Via Facsimile (866-418-0232)

03-259

Reference: Touch America, Inc., Section 63.71 Application to discontinue Frame Relay Services

Dear Mr. McDonald:

I am a Touch America frame relay circuit customer. I have a manufacturing facility, Nephi Rubber Products Corp., in Nephi, Utah that uses the Touch America frame relay circuit to communicate with our computer system at Corporate Headquarters in La Porte, Indiana. When Touch America, Inc. notified us that they would be discontinuing their frame relay service effective 1/31/04, I ordered a replacement circuit through Qwest Communications which provides us the rest of the frame relay circuits that we are using. Yesterday afternoon Qwest told me that they still cannot tell me when the new Qwest frame relay circuit will be available and told me that I should contact Mr. Gregory Cook at the Federal Communications Commission and tell him that Qwest has not been given enough time to install new circuits for the Touch America customers that are having their service discontinued. I talked to Mr. Cook and he told me that I needed to talk to you about the issue.

The Touch America frame relay circuit is the only means that Nephi Rubber Products has to connect to our computer system. If the Touch America circuit is taken down Nephi Rubber Products will lose all computer services and will not be able to function. They will not be able to continue their manufacturing operations, process payroll, or perform any other function relating to the operation of their business. I ordered the new circuit from Qwest as soon as we were notified, but Qwest says they need additional time to provide the lines to the current Touch America customers. Please call me so that I may discuss the issue with you. I cannot be without the Touch America frame relay circuit until the new Qwest circuit is installed and Nephi Rubber Products has been migrated to Qwest.

Sincerely,

Vern Sams
Corporate Controller